

**State Water Resources Control Board**  
Division of Drinking Water

October 3, 2016  
System No.: 1500344

Mrs. Sherry Settemoir, President  
South Kern Mutual Water Company  
9609 Beam Avenue  
Bakersfield, CA 93311

**RE: Violation of the Uranium Maximum Contaminant Level  
Compliance Order No. 03\_12\_16R\_005**

Dear Mrs. Settemoir:

The State Water Resources Control Board – Division of Drinking Water (Division) has issued Compliance Order No. 03\_12\_16R\_005, for violation of the uranium maximum contaminant level (MCL). Enclosed is the Compliance Order issued to the South Kern Mutual Water Company (hereinafter "Water System") public water system for noncompliance with the uranium MCL.

As directed in the enclosed Compliance Order, please provide recognition of receipt of this Compliance Order and the Water System's intent to comply with the Order to the Division of Drinking Water, Visalia District office by **November 10, 2016**.

The Water System will be billed at the Division's hourly rate (currently estimated at \$153.00) for the time spent on issuing this Compliance Order. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specific enforcement actions, including but not limited to preparing, issuing, and monitoring compliance with, an order or a citation.

As a reminder, we are requesting that all correspondence be submitted to our district's email address ([dwpdist12@waterboards.ca.gov](mailto:dwpdist12@waterboards.ca.gov)) in accordance with the guidelines attached in Appendix 5. If you have any questions regarding this letter or the enclosed Compliance Order, please contact me at (559) 447-3300 or Linda Ramirez of my staff at (559) 447-3392.

Sincerely,



Tricia A. Wathen, P.E.  
Senior Sanitary Engineer, Visalia District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

TAW/LR

Enclosures

Certified Mail No. 7015 1660 0000 0781 8299

cc: Kern County Environmental Health Department (compliance order only)  
McMor Chlorination, Inc, 6734 Charity Ave, Bay #8, Bakersfield, CA 93311

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** South Kern Mutual Water Company

**Water System No:** 1500344

**Attention:** Mrs. Sherry Settlemaier, President

9609 Beam Avenue

Bakersfield, CA 93311

**Issued:** October 3, 2016

COMPLIANCE ORDER FOR NONCOMPLIANCE  
URANIUM MAXIMUM CONTAMINANT LEVEL  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64442  
2<sup>nd</sup> Quarter of 2016

The California Health and Safety Code (hereinafter "CHSC"), Section 116655 authorizes the State Water Resources Control Board (hereinafter "State Board") to issue a compliance order to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

The State Board, acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues this Compliance Order pursuant to Section 116655 of the CHSC to the South Kern Mutual Water Company (hereinafter "Water System") for violation of CHSC, Section 116555(a)(1) and California Code of Regulations (hereinafter "CCR"), Title 22, Section 64442 Radionuclide Maximum Contaminant Levels (MCLs).

A copy of the applicable statutes and regulations are included in Appendix 1, which is attached hereto and incorporated by reference.

#### STATEMENT OF FACTS

The Water System is classified as a community water system with a population of approximately 32 persons served through 15 service connections and utilizes one well (Well 01) to supply water to the distribution system. The Water System operates under Domestic Water Supply Permit No. 03-12-15P-021 issued by the Division on August 25, 2015.

The Water System initially exceeded the gross alpha particle activity maximum contaminant level (MCL) of 15 pico curies per liter (pCi/L) in a sample collected on May 7, 2013 from Well 01 with a concentration of 17.7 pCi/L. The sample was further analyzed for uranium and detected a uranium concentration of 18 pCi/L. The Water System was instructed to increase the monitoring for gross alpha and uranium to a quarterly basis in order to determine compliance with the gross alpha and uranium MCLs. The MCL for uranium is 20 pCi/L. Compliance with the gross alpha particle activity and uranium MCLs is based on a running annual average (RAA) of four (4) consecutive quarterly samples. The Water System has completed four (4) quarters of gross alpha and uranium monitoring. The data for the 2<sup>nd</sup> quarter of the 2016 shows that the RAA of uranium in Well 01 is 21.3 pCi/L. This level exceeds the uranium MCL of 20 pCi/L. The gross alpha results do not exceed the gross alpha MCL of 15 pCi/L, due to the exclusion of uranium. A summary of the Water System's most recent radiochemical monitoring results are presented in Table 1. All results are reported to the Division by the laboratory that performed the analysis.



Table 1 – Well 01 Radiochemical Sample Results

Constituent	Quarter	Sample Date	Result (pCi/L)	MCL
Gross Alpha	Q1	5/7/13	17.7	15
	Q3	9/8/15	16.1	
	Q4	12/3/15	23.5	
	Q1	3/8/16	26.4	
	Q2	6/1/16	24.2	
Running Annual Average			<b>23</b>	
Uranium	Q1	5/7/13	18.0	20
	Q3	9/8/15	21	
	Q4	12/3/15	23	
	Q1	3/8/16	20	
	Q2	6/1/16	21	
Running Annual Average			<b>21</b>	

### DETERMINATION

CCR, Title 22, Section 64442, Radionuclide Monitoring and Compliance – Gross Alpha Particle Activity, Radium-226, Radium-228, and Uranium states that a public water system is in violation of the uranium MCL if the running annual average of four (4) quarterly samples exceed the MCL.

The Water System exceeded the uranium MCL running annual average based on the results of four (4) consecutive quarterly results. The running annual average during the 2<sup>nd</sup> quarter of 2016 was 21 pCi/L. The Division has determined that the Water System has failed to comply with CHSC, Section 116555 and CCR, Title 22, Section 64442 in that the water produced by Well 01 exceeded the uranium MCL as shown in Table 1.

### DIRECTIVES

To ensure that the water supplied by the Water System is at all times safe, wholesome, healthful, and potable, and pursuant to the California SDWA, the Water System is hereby directed to take the following actions:

1. On or before December 31, 2019, comply with CCR, Title 22, Section 64442 and remain in compliance.
2. On or before November 10, 2016, submit a written response to the Division indicating its agreement to comply with the directives of this Order.
3. Commencing on the date of service of this Order, provide quarterly public notification in conformance with CCR, Title 22, Sections 64463.1 and 64465 of the Water System's failure to meet the uranium MCL during any calendar quarter in which the running annual average for the uranium MCL is exceeded. A copy of Sections 64463.1 and 64465 is included in Appendix 1. Appendix 2: Notification Template shall be used to fulfill this directive, unless otherwise approved by the Division.
4. Complete Appendix 3: Proof of Notification Form. Submit it together with a copy of the public notification to the Division within 10 days following each such notification.
5. Commencing on the date of service of this Order, collect quarterly samples for uranium from Well 01, as required by CCR, Title 22, Section 64442. Ensure that the analytical results are reported to the Division electronically by the analyzing laboratory no later than the 10<sup>th</sup> day following the month in which the analysis was completed.
6. Prepare for Division approval a Corrective Action Plan identifying improvements to the water system designed to correct the water quality problems (violation of the uranium MCL) and ensure that the Water System delivers water to consumers that meets primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which the Water System will be in compliance with the nitrate MCL, which date shall be no later than December 31, 2019.

- 1       7. On or before December 31, 2016, submit and present in person the Corrective Action  
2       Plan required under Directive No. 6, above, to the Division's offices located at 265 W.  
3       Bullard Avenue, Suite 101, Fresno, CA 93704. If desired, Division staff is willing to meet  
4       in the Division's Bakersfield Office at 4925 Commerce Drive, Suite 120, Bakersfield, CA  
5       93309 upon request.  
6
- 7       8. Timely perform the Division-approved Corrective Action Plan, and each and every  
8       element of said plan, according to the time schedule set forth therein.  
9
- 10      9. On or before December 31, 2016 and every three months thereafter, submit a report to  
11      the Division in the form provided as Appendix 4 hereto, showing actions taken during the  
12      previous quarter (calendar three months) to comply with the Corrective Action Plan.  
13
- 14      10. Not later than ten (10) days following the date of compliance with the uranium MCL,  
15      demonstrate to the Division that the water delivered by Water System complies with the  
16      uranium MCL.  
17
- 18      11. Notify the Division in writing no later than five (5) days prior to the deadline for  
19      performance of any Directive set forth herein if Water System anticipates it will not timely  
20      meet such performance deadline.  
21



1 All submittals required by this Order shall be electronically submitted to the Division at the  
2 following address with the appropriate file name as provided in Appendix 5:

3  
4 Tricia A. Wathen, P.E., Senior Sanitary Engineer  
5 State Water Resources Control Board  
6 Division of Drinking Water, Visalia District  
7 265 W. Bullard Ave, Suite 101  
8 Fresno, CA 93704  
9 [Dwpdist12@waterboards.ca.gov](mailto:Dwpdist12@waterboards.ca.gov)  
10

11 The State Board reserves the right to make such modifications to this Compliance Order as it  
12 may deem necessary to protect public health and safety. Such modifications may be issued as  
13 amendments to this Compliance Order and shall be effective upon issuance.  
14

15 Nothing in this Compliance Order relieves the Water System of its obligation to meet the  
16 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with  
17 Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.  
18

#### 19 **PARTIES BOUND**


20 This Compliance Order shall apply to and be binding upon the Water System, its owners,  
21 shareholders, officers, directors, agents, employees, contractors, successors, and assignees.  
22

#### 23 **SEVERABILITY**

24 The directives of this Compliance Order are severable, and the Water System shall comply with  
25 each and every provision thereof notwithstanding the effectiveness of any provision.  
26  
27

**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Board to: issue citations and compliance orders with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Board. The State Board does not waive any further enforcement action by issuance of this Compliance Order.

  
Carl L. Carlucci, P.E., Chief  
Central California Section  
State Water Resources Control Board  
Division of Drinking Water

10-3-2016

Date



CLC/TAW/LR

Appendices:

1. Applicable Statutes and Regulations
2. Notification Template
3. Proof of Notification Form
4. Quarterly Progress Report
5. Guidelines for Electronic Submission of Documents

Certified Mail No. 7015 1660 0000 0781 8299



## Appendix 1

### Applicable Statutes and Regulations for Citation No. 03\_12\_16R\_005

#### Violation of Nitrate MCL

##### Section 116271 of the CHSC states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
  - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

##### Section 116555(a)(1) of the CHSC states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

- (1) Complies with primary and secondary drinking water standards.

##### Section 116655 (Authority) of the CHSC states in relevant part:

(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the department.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.

- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

**California Code of Regulations, Title 22 (CCR), Article 5. Radioactivity**

**Section 64442. ( MCLs and Monitoring - Gross Alpha Particle Activity, Radium-226, Radium-228, and Uranium ) of CCR states:**

(a) Each community and nontransient-noncommunity water system (system) shall comply with the primary MCLs in Table 64442 in the drinking water supplied to the public and use the DLRs for reporting monitoring results:

**Table 64442  
Radionuclide Maximum Contaminant Levels (MCLs)  
and Detection Levels for Purposes of Reporting (DLRs)**

<i>Radionuclide</i>	<i>MCL</i>	<i>DLR</i>
Radium-226	5 pCi/L (combined radium-226 & -228)	1 pCi/L
Radium-228		1 pCi/L
Gross Alpha particle activity (excluding radon and uranium)	15 pCi/L	3 pCi/L
Uranium	20 pCi/L	1 pCi/L

(b) Each system shall monitor to determine compliance with the MCLs in table 64442, as follows:

(1) Monitor at each water source, or every entry point to the distribution system that is representative of all sources being used under normal operating conditions; conduct all monitoring at the same sample site(s) unless a change is approved by the State Board, based on a review of the system and its historical water quality data;

(2) For quarterly monitoring, monitor during the same month (first, second or third) of each quarter during each quarter monitored;

(3) By December 31, 2007, complete initial monitoring that consists of four consecutive quarterly samples at each sampling site for each radionuclide in table 64442, except that nontransient-noncommunity water systems shall not be required to monitor radium-228 as a separate analyte, but shall monitor for compliance with the combined radium MCL using the analytical method described in Prescribed Procedures for Measurement of Radioactivity in Drinking Water, Section 6, Alpha-emitting Radium Isotopes in Drinking Water, Method 903.0 (EPA/600/4-80-032, August 1980):

(A) Data collected for a sampling site between January 1, 2001, and December 31, 2004, may be used to satisfy the initial monitoring requirement, subject to the State Board's approval based on whether the analytical methods, DLRs, sampling sites, and the frequency of monitoring used were consistent with this article.

(B) For gross alpha particle activity, uranium, radium-226 and radium-228, the State Board may waive the final two quarters of initial monitoring at a sampling site if the results from the previous two quarters are below the DLR(s) and the sources are not known to be vulnerable to contamination.

(c) Any new system or new source for an existing system shall begin monitoring pursuant to Subsection (b) within the first quarter after initiating water service to the public.

(d) After initial monitoring, each system shall monitor for each radionuclide at each sampling site at a frequency determined by the monitoring result(s) [single sample result or average of sample results if more than one sample collected] from the most recent compliance period as follows:

(1) For nontransient-noncommunity water systems, the results for the total radium analyses shall be averaged.

(2) For community water systems, the results of radium-226 and radium-228 analyses shall be added and the average calculated.

(3) The values used for the radionuclide MCLs and DLRs shall be as specified in Table 64442.

(4) If the single sample result or average is:

A. Below the DLR, the system shall collect and analyze at least one sample every nine years (3 compliance periods).

B. At or above the DLR, but at or below  $\frac{1}{2}$  the MCL, the system shall collect and analyze at least one sample every six years.

C. Above  $\frac{1}{2}$  the MCL, but not above the MCL, the system shall collect and analyze at least one sample every three years.

(e) A system that monitors quarterly may composite up to four consecutive samples from a single sampling site if analysis is done within a year of the first sample's collection. If the result of the composited sample is greater than  $\frac{1}{2}$  the MCL, at least one additional quarterly sample shall be analyzed to evaluate the range and trend of results over time before allowing the system to reduce the monitoring frequency.

(f) A gross alpha particle activity measurement may be substituted for other measurements by adding the 95% confidence interval ( $1.65\sigma$ , where  $\sigma$  is the standard deviation of the net counting rate of the sample) to it; and if,

(1) For uranium and radium measurements (after initial radium-228 monitoring has been completed), the gross alpha measurement does not exceed 5 pCi/L; or

(2) For radium measurements (after initial radium-228 monitoring has been completed), the result obtained from subtracting the uranium measurement from the gross alpha measurement does not exceed 5 pCi/L.

(g) If any sample result is greater than an MCL:

(1) For a system monitoring less than quarterly, quarterly samples shall be collected and analyzed to determine compliance, pursuant to subsection (h);

(2) For a system that already has four consecutive quarterly results, compliance shall be determined pursuant to subsection (h).

(3) The system shall monitor quarterly until the results of four consecutive quarterly sample results do not exceed the MCL.

(h) A system with one or more sample results greater than an MCL shall determine compliance with the MCL as follows:

(1) At each sampling site, based on the analytical results for that site. Any confirmation sample result shall be averaged with the initial result.

(2) Using all monitoring results collected under this section during the previous 12 months, even if more than the minimum required number of samples was collected.

(3) By a running annual average of four consecutive quarters of sampling results. Averages shall be rounded to the same number of significant figures as the MCL for which compliance is being determined.

(A) If any sample result will cause the annual average at any sample site to exceed the MCL, the system shall be out of compliance immediately upon receiving the result;

(B) If a system has not analyzed the required number of samples, compliance shall be determined by the average of the samples collected at the site during the most recent 12 months; and

(C) If a sample result is less than the DLR in table 64442, zero shall be used to calculate the annual average, unless a gross alpha particle activity is being used in lieu of radium-226, total radium, and/or uranium. In that case, if the gross alpha particle activity result is less than the DLR,  $\frac{1}{2}$  the DLR shall be used to calculate the annual average.

(4) If compositing is allowed at a sampling site, by the results of a composite of four consecutive quarterly samples.

(5) If the system can provide documentation that a sample was subject to sampling or analytical errors, the State Board may invalidate the result based on its review of the documentation, the sampling result, and the historical sampling data.

(6) Each system shall ensure that the laboratory analyzing its samples collected for compliance with this article calculates and reports the sample-specific Minimum Detectable Activity at the 95% confidence level ( $MDA_{95}$ ) along with the sample results. The  $MDA_{95}$  shall not exceed the DLR and shall be calculated as described in ANSI N42.23 Measurement and Associated Instrumentation Quality Assurance for Radiobioassay Laboratories, Appendix A.7.6 (September 10, 1995).

**Section 64463.4 (Tier 2 Public Notice) states:**

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:

(A) Where a Tier 1 public notice is required under section 64463.1; or

(B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and

(3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and



(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, **noncommunity** water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

**Section 64465 (Public Notice Content and Format) of the CCR states in relevant part:**

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);
- (2) The date(s) of the violation or occurrence;
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;
- (5) Whether alternative water supplies should be used;
- (6) What actions consumers should take, including when they should seek medical help, if known;
- (7) What the water system is doing to correct the violation or occurrence;
- (8) When the water system expects to return to compliance or resolve the occurrence;
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;
- (10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: —Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail; and
- (11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time." ...

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or
2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and

(3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

- (1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;
- (2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and
- (3) Not contain language that minimizes or contradicts the information being given in the public notice.

**Section 64469 (Reporting Requirements) of CCR states in relevant part:**

(d) Within 10 days of giving initial or repeat public notice pursuant to Article 18 of this Chapter, except for notice given under section 64463.7(d), each water system shall submit a certification to the State Board that it has done so, along with a representative copy of each type of public notice given.

**Section 64481 (Content of the Consumer Confidence Report) of CCR states in relevant part:**

...

(g) For the year covered by the report, the Consumer Confidence Report shall note any violations of paragraphs (1) through (7) and give related information, including any potential adverse health effects, and the steps the system has taken to correct the violation.

(1) Monitoring and reporting of compliance data.

## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Por favor hable con alguien que lo pueda traducir.

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### South Kern Mutual Water Company Has Levels of Uranium Above Drinking Water Standards

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Our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Testing results we received from June 2016 for uranium showed a level of 21 pCi/L (pico curies per liter). The maximum contaminant level (MCL) or standard for uranium is 20 pCi/L. Compliance for uranium is based on a running annual average (RAA) of four consecutive quarterly samples for each well. The average level of uranium over the last year was 21 pCi/L.

#### What should I do?

- **You do not need to use an alternative (e.g., bottled) water supply.** However, if you have specific health concerns, consult your doctor.
- This is not an emergency. If it had been, you would have been notified immediately. However, *some people who drink water containing Uranium in excess of the MCL over many years may have kidney problems or an increased risk of getting cancer.*
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

#### What happened? What was done?

[Describe corrective action.] \_\_\_\_\_.

We anticipate resolving the problem within [estimated time frame] \_\_\_\_\_.

For more information, please contact \_\_\_\_\_ [insert name of contact]  
at \_\_\_\_\_ [insert phone number] or at the following mailing  
address: \_\_\_\_\_.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

#### Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by South Kern MWC.

Date: \_\_\_\_\_



**PROOF OF NOTIFICATION**

(Return with copy of the Notice)

As required by Section 116450 of the California Health and Safety Code, I notified all users of water supplied by the **South Kern Mutual Water Company (1500344)** of the failure to meet the **Uranium MCL** for the:

Circle one: 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> 4<sup>th</sup> quarter of \_\_\_\_\_ (year).

Notification was made on \_\_\_\_\_  
(date)

To summarize report delivery used and good-faith efforts used, please check all items below that apply and fill-in where appropriate:

- ☐ The notice was distributed by mail or direct delivery (*please circle delivery method used*) to each customer served by the water system. Specify any other direct delivery method(s) used: \_\_\_\_\_

One or more of the following methods were used to reach persons not likely to be reached by a mailing or direct delivery (renters, nursing home patients, prison inmates, etc.):

- ☐ Posted the notice at the following conspicuous locations served by the water system (if needed, please attach a list of locations). \_\_\_\_\_
- ☐ Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).
- ☐ Posted the notice on the Internet at www. \_\_\_\_\_
- ☐ Other method used to notify customers. \_\_\_\_\_

**DISCLOSURE:** Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Certified by: Name \_\_\_\_\_  
Signature \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

Due to the Division of Drinking Water within 10 days of notification to the public  
Uranium MCL Exceedance / Enforcement Action No.: 03\_12\_16R\_005

## Quarterly Progress Report

Water System:		System No.:	
Compliance Order No.:		Violation:	
Calendar Quarter:		Date Prepared:	

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Visalia District Office.

### Summary of Compliance Plan:

### Tasks completed in the reporting quarter:

### Tasks remaining to complete:

Anticipated compliance date: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## State Water Resources Control Board

Division of Drinking Water

### Guidelines for Electronic Submission of Documents to Visalia District 12

To ensure consistent and reliable processing of the documents you submit to the Division of Drinking Water (DDW) Visalia District 12 Office, please follow the formatting, labeling, and submission procedures described below:

For more efficient processing, we request that you submit all documents to DDW offices **in a Portable Document Format (PDF) file**.

**Note:** Please sign the document prior to converting to a PDF file and maintain the signed hardcopy of the document in your records for the period of time prescribed in law or regulation.

#### Name each individual PDF file as follows:

- a. Create a filename with the following information:
  - i. Water System Number—(e.g. 1234567)
  - ii. Water System Name—(e.g. Pinedale County Water District), abbreviation encouraged, however, it should still be clear which water system is being identified (e.g. Pinedale CWD)
  - iii. Compliance Period—Month or Quarter and Year that the document covers, if applicable—(e.g. July2016 or 2Q2016).
  - iv. Document Name—Use the following table to choose the Document Link (Doc Link) that applies to the document you are submitting:

**Example of complete filename:** 1234567-Pinedale CWD-July2016-TCR

Doc Link	Documents Pertaining to:	Doc Link	Documents Pertaining to:
<b>BSSP</b>	Bacteriological Sample Siting Plan	<b>PN</b>	Public Notice
<b>CIT</b>	Citation	<b>PN Cert</b>	Certification of Public Notification
<b>CL2</b>	Chlorine residual	<b>QPR</b>	Quarterly Progress Report
<b>COM</b>	Compliance Order	<b>RPT</b>	Report
<b>DBP</b>	Disinfection By Products	<b>SS</b>	Sanitary Survey
<b>EL</b>	Enforcement Letter	<b>SS Corr</b>	Sanitary Survey Correspondence
<b>ENP</b>	Emergency Notification Plan	<b>SWTP</b>	Surface Water Treatment Plant
<b>LCR</b>	Lead & Copper Rule (Form 141_AR)	<b>TCR</b>	Total Coliform Rule
<b>FUND</b>	Documents related to Funding	<b>TOC</b>	Total Organic Carbon
<b>PER</b>	Anything related to the permitting process	<b>TRT,___</b>	Treatment, Constituent
<b>INV</b>	Investigative report		

**Note:** If there is not an applicable Doc Link in the table above, please use wording that best describes the subject of the document you are submitting.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)



## SUBMISSION OF ELECTRONIC DOCUMENTS

### 1) Submission via Email to [dwpdist12@waterboards.ca.gov](mailto:dwpdist12@waterboards.ca.gov)

**Note:** DDW email servers can only receive emails less than or equal to 50 megabytes (50 MB) in size

- a. Attach **one** PDF file to an email. Enter the same information in the Subject line of the email as you used in the filename for the attachment to the email (e.g., “[1234567-ABC Water Company-July2016-TCR](#)”); see “Name of individual PDF..” on page 1 for instructions. Send to district email noted above.

**OR**

- b. Attach **multiple** PDF files to an email, assuming total size is less than 50 MB. This option should only be utilized if all of the PDF files to be attached pertain to the same water system. Enter the water system number and name in the Subject line of the email (e.g., “[1234567-ABC Water Company](#)”). Send to district email noted above.

### 2) Submission of files greater than 50 MB in size

- a. Split documents into files smaller than 50 MB total and email per instructions in #1 above;

**OR**

- b. Transfer onto a CD-ROM. **After transfer of the document to CD-ROM, verify it is readable.** Label the jewel case or envelope of the CD-ROM with the water system number and name (e.g., “[1234567-ABC Water Company](#)”). Mail to the address listed below:

**Division of Drinking Water, Visalia District 12  
265 W. Bullard Ave., Suite 101, Fresno, CA 93704**

- c. Contact the Visalia District 12 office for other options.

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Please note that after review of your submission, DDW staff may request a hardcopy of certain documents, particularly drawings or maps that require a large size to be readable. In other cases – for instance, where the evaluation of data is required – DDW staff may request that documents be submitted in other electronic formats.

#### **Special instructions regarding laboratories:**

Please note that labs must continue submitting chemical monitoring data through electronic data transfer (EDT) using the established procedure, as described at:

[http://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/EDT.shtml](http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDT.shtml).

#### **Use of this guidance and updates:**

This guidance may be updated periodically to reflect the evolving nature of the technology and the experience of those using this technology. You will be notified of any changes that affect your water system.